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FRATERNAL COLLEGE SOCIETIES—EXPULSION OF SUBORDINATE CHAPTERS—INJUNCTION—HEATON ET AL. V. HULL ET AL., 59 N. Y. Sup. 281.—Charges were brought against a chapter of a college fraternal organization by its president because of lack of culture and refinement among the women of the college. No proof was offered that any rule of the order was broken except the exhibition of the constitution to counsel by a member of the order. No causes for expulsion are provided for by the constitution. Nor was any chance given the chapter to defend itself against the charges. *Held*, the court would enjoin consummation of the expulsion.

In the absence of defined regulations as to the causes for expulsion, it would seem that the ordinary principles of justice would govern. In *People v. N. Y. Produce Exchange*, 149 N. Y. 401, it was held that the causes of suspension and expulsion must be stated with reasonable certainty in the notice and the cause for action must be within the scope of the by-laws. But this case refers mainly to membership in corporations, but no distinction is recognized between corporations and voluntary unincorporated associations. The chief value of membership and association with members of other chapters of fraternal organizations lies in the initiation by a chapter of good standing, and the continuance of privileges as members of the local chapter. When that value has been destroyed, the blow comes home directly to all those who have become members of the local chapter, and so their individual rights would apparently be invaded.

GAS COMPANIES—DISCRIMINATION—BAILEY V. FAYETTE GAS-FUEL CO., 44 Atl. 251 (Penn.).—*Held*, that a company incorporated for the purpose of supplying gas both for heating and lighting cannot discriminate by charging more for gas for lighting than for heating.

Unlawful discrimination is a term generally used to indicate a breach of a statutory or common-law duty to treat all customers alike, i. e., there must be no discrimination if there is an equality of conditions with respect to all customers affected. The American doctrine of legislative control over the rates of warehousemen is well settled in the case of *Munn v. Illinois*, 94 U. S., 113, and has of late years been applied to the regulation of the rates of gas companies, but with recognition of the fact that such control is not arbitrary and is always subject to judicial determination. The justification of such legislative control is the quasi-public nature of warehousemen, railroad, gas, ferry and bridge companies. In the case in question the conditions under which the customers were supplied were both similar and equal, and the only ground for discrimination was the differing value of the service to the customer, i. e., that the furnishing of gas for lighting was more valuable to the customer than the furnishing of gas for heating. Discrimination based on such grounds has never been sustained in cases of companies of another nature, and now for the first time it is decided that gas companies cannot charge varying rates for differing uses of the same kind of gas. Many gas companies in the different States have made such a distinction in charges, and if the courts of other States hold in accordance with the principal case these companies will be most markedly affected. The decision seems based on a logical interpretation of the doctrine of unfair rates and will in all probability be sustained by future cases.

HIGHWAYS—REASONABLE USE BY OWNER OF THE LAND—NUISANCE—LYMAN V. HOOPER, 44 Atl. 127 (Me.).

While it is true that adjacent owner, owning presumptively to the center of a highway, may, subject to the public easement, make a reasonable use of the land even within the location, yet a stack of hay with a white half cap, the corners of which are unfastened and flapping in the wind, placed within the highway about three feet from traveled part, is an object of such a character as will naturally frighten horses ordinarily gentle and well broken, and therefore is not a reasonable use, but constitutes a nuisance. Most of the cases of injury incurred on highways are against the municipalities for maintaining a nuisance or permitting an abutting owner to do so. In *Murray v. McShane*, 52 Md. 217, the same rule of law was applied; the owner of land on which was